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Attorneys for Applicant-Intervenor Defendant State of  
Wyoming

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

**DEFENDERS OF WILDLIFE, SIERRA  
CLUB, AMERICAN LANDS ALLIANCE,  
ANIMAL PROTECTION INSTITUTE,  
CENTER FOR BIOLOGICAL DIVERSITY,  
FOREST WATCH, HELLS CANYON  
PRESERVATION COUNCIL, HELP OUR  
WOLVES LIVE ("HOWL"), THE  
HUMANE SOCIETY OF THE UNITED  
STATES, KLAMATH FOREST  
ALLIANCE, KLAMATH-SISKIYOU**

Civil No. 03-1348-BR

**MOTION TO INTERVENE AS  
DEFENDANT BY APPLICANT-  
INTERVENOR STATE OF WYOMING**

**REQUEST FOR ORAL ARGUMENT**

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Wyoming

**WILDLANDS CENTER, MINNESOTA  
WOLF ALLIANCE, OREGON NATURAL  
RESOURCES COUNCIL, PUBLIC  
EMPLOYEES FOR ENVIRONMENTAL  
RESPONSIBILITY ("PEER"), RESTORE:  
The North Woods, Sinapu, and the  
Wildlands Project,**

Plaintiff,

v.

**GALE NORTON, SECRETARY OF THE  
INTERIOR, UNITED STATES  
DEPARTMENT OF THE INTERIOR AND  
STEVEN WILLIAMS, DIRECTOR,  
UNITED STATES FISH AND WILDLIFE  
SERVICES,**

Defendants.

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**LR 7.1(a) Certification**

Undersigned counsel hereby certify that, on November 25, 2003, they conferred by telephone with counsel of record for Plaintiffs regarding this motion. Plaintiffs do not oppose Wyoming being allowed to intervene in this action, but they do oppose Wyoming seeking fees and costs in this litigation.

Undersigned further certifies that, on November 19, 2003, they conferred by telephone with counsel of record for the Federal Defendants regarding this motion. The Federal Defendants take no position on Wyoming's motion to intervene.

**Questions to be Decided**

1. Whether Applicant-Intervenor State of Wyoming is entitled to intervene as of right pursuant to FED. R. CIV. P. 24(a)?
2. Whether Applicant-Intervenor State of Wyoming may intervene permissively pursuant to FED. R. CIV. P. 24(b)?

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COMES NOW, Applicant-Intervenor, the State of Wyoming (“Wyoming”), by and through its undersigned attorneys, and hereby moves for leave to intervene as Defendant in the captioned action as a matter of right pursuant to FED. R. CIV. P. 24(a)(2). Alternatively, Wyoming moves to be permitted to intervene as a Defendant pursuant to FED. R. CIV. P. 24(b). In support of its motion, Wyoming refers this Court to its legal memorandum in support of this motion together with the Declaration of Suzanne Lacampagne in Support of its Motion, a Proposed Answer and Proposed Order filed herewith.

WHEREFORE, Wyoming respectfully requests that this Court grant it leave to intervene in this matter as a matter of right pursuant to F.R.C.P. 24(a)(2). In the alternative, Wyoming requests that the Court grant it permissive intervention pursuant to F.R.C.P. 24(b).

DATED this 25 day of November, 2003.

MILLER NASH LLP

/s/ Suzanne Lacampagne

Suzanne Lacampagne

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Defendant State of Wyoming

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I hereby certify that I served the foregoing Motion to Intervene as Defendant By  
Application –Intervenor State of Wyoming on:

Mr. Brian B. O'Neill  
Faegre & Benson LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
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Stephanie M. Parent  
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Kristen Gustafson  
United States Department of Justice  
Environment & Natural Resource  
Division  
Wildlife & Marine Resource Section  
Room 3906  
601 D Street, N.W.  
Washington, D.C. 20004

by the following indicated method or methods:

- ☐ by **faxing** full, true, and correct copies thereof to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office, on the date set forth below.
- ☒ by **mailing** full, true, and correct copies thereof in a sealed, first-class postage-prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, and deposited with the United States Postal Service at Portland, Oregon, on the date set forth below.
- ☐ by sending full, true and correct copies thereof via **overnight courier** in a sealed, prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, on the date set forth below.
- ☐ by causing full, true and correct copies thereof to be **hand-delivered** to the attorney at the attorney's last-known office address listed above on the date set forth below.

DATED this 25 day of November, 2003.

/s/ Suzanne Lacampagne  
Suzanne Lacampagne

Attorney for Applicant-Intervenor  
Defendant State of Wyoming

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